

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

<b>IN RE:</b>  <b>IVAN F. GONZALEZ CARMONA</b>  <b>DEBTOR(S)</b>	<b>CASE NUMBER: 08-01124 SEK</b>  <b>CHAPTER 13 ASSET CASE</b>
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**DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE**

**THE HONORABLE COURT:**

**COMES NOW**, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

**a. Debtor income are lowered and needs to make adjustments of his income and report new expenses in order to comply with his duties as chapter 13 debtor,**

3. Debtor (s) amend plan call twelve (12) payments of \$410.00, twenty five (25) payment of \$600.00 and twenty three (23) payments of \$475.00 for a total base of \$30,845.00 dollars with a provision for the payment to paid secured arrears to Banco Popular, account ending number-3256 and full payment of Popular Auto, account ending number-0001.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

**WHEREFORE**, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

**NOTICE**

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 15<sup>th</sup>, day of April, 2011.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**

USDC PR 214711  
P.O. Box 19559  
San Juan, PR 00919-5596  
Tel. (787) 758-4400  
Fax. (787) 763-0144  
E-mail valdeslaw@prtc.net

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. **08-01124 SEK**

**GONZALEZ CARMONA, IVAN FRANCISCO**

Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.  
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **4/15/2011**

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$	<b>410.00</b>	x	<b>12</b>	= \$	<b>4,920.00</b>
\$	<b>600.00</b>	x	<b>25</b>	= \$	<b>15,000.00</b>
\$	<b>475.00</b>	x	<b>23</b>	= \$	<b>10,925.00</b>
\$		x		= \$	
\$		x		= \$	

TOTAL: \$ **30,845.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **30,845.00**

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **3,350.00**

*Additional Fees 350*  
*Balance \$3700*

Signed: */s/ IVAN FRANCISCO GONZALEZ CARMONA*  
Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <b>BANCO POPULAR D</b>	Cr.
# <b>3256</b>	#
\$ <b>4,520.57</b>	\$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. <b>POPULAR AUTO</b>	Cr.
# <b>'0001</b>	#
\$ <b>2,725.28</b>	\$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

**BANCO POPULAR D**

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts: payment of interest to unsecureds, etc.)  
**See Continuation Sheet**

Attorney for Debtor **Marilyn Valdes Ortega Law Offices**

Phone: **(787) 758-4400**

**CHAPTER 13 PAYMENT PLAN**

Continuation Sheet - Page 1 of 1

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

DEBTOR MAINTAINS PARTIAL DIRECT ALIMONY PAYMENTS IN FAVOR OF CECILIA GONZALEZ CONSISTING OF THE EXPENSES BOTH MEDICAL AND EDUCATIONAL AS WELL AS ALL THE NEEDS OF THE CHILD DURING DEBTOR'S VISITATION RIGHTS WHICH IS 182 DAYS OF THE YEAR.

ARREARS IN ALIMONY PAYMENT OF \$14,000.00 DOLLARS TO BE PAID BY THE TRUSTEE.

INSURANCE TO BANCO POPULAR OF PUERTO RICO AT END OF SALES CONTRACT IN THE APROXIMATE AMOUNT OF \$500.00, THROUGH UNIVERSAL INSURANCE COMPANY, PAYMENTS TO UNIVERSAL TO BEGIN AT THE END OF THE SALES CONTRACT.

DEBT TO POPULAR AUTO TO BE PAID BEFORE MORTGAGE WITH BANCO POPULAR IN ORDER TO LOWER AUTO INSURANCE EXPENSES.

ADEQUATE PROTECTION PAYMENTS TO BANCO POPULAR ON AUTO LOAN THROUGH THE TRUSTEE ON A MONTHLY BASIS OF \$100.00 UNTIL CONFIRMATION.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

**08-01124-SEK13 Notice will be electronically mailed to:**

JOSE RAMON CARRION MORALES  
newecfmail@chl3-pr.com

MONSITA LECAROS ARRIBAS  
ustpreion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor IVAN FRANCISCO GONZALEZ  
CARMONA  
valdeslaw@prtc.net

**I HEREBY CERTIFY:** That I have mailed by regular mail to all creditors listed.

**08-01124-SEK13 Notice will not be electronically mailed to:**

AMERICAN EXPRESS  
PO BOX 1270  
NEWARK, NJ 07101-1270

BANCO POPULAR DE PR  
PO BOX 70100  
SAN JUAN, PR 00936-8100

BANCO POPULAR DE PUERTO RICO  
P.O. BOX 362708  
SAN JUAN, PR 00936-2708

BANCO SANTANDER  
PO BOX 362589  
SAN JUAN, PR 00936-2589

BANK OF AMERICA  
PO BOX 15102  
WILMINGTON, DE 19886-5102

CAROLA GARCIA LOPEZ  
PO BOX 9022386  
SAN JUAN, PR 00902-2386

DEPARTAMENTO DE HACIENDA  
PO BOX 9024140  
OFICINA 424 B  
SAN JUAN, PR 00902  
DEPARTAMENTO DEL TRABAJO  
AVE. MUÑOZ RIVERA 505  
HATO REY, PR 00918

FEDERAL LITIGATION DEPT OF  
JUSTICE  
PO BOX 9020192  
SAN JUAN, PR 00902-0192

FIRST BANK PUERTO RICO  
PO BOX 9146  
SAN JUAN, PR 00908-9146

FIRST BANK PUERTO RICO  
FIA CARD SERVICES  
PO BOX 15726  
WILMINGTON, DE 19886-5726

ISABEL RODRIGUEZ BONET  
PO BOX 19917  
SAN JUAN, PR 00910-1917

POPULAR AUTO  
PO BOX 366818  
SAN JUAN, PR 00936-6818

RADIO SHACK  
PROCESSING CENTER  
DES MOINES, IA 50364-0001

SCOTIABANK  
PO BOX 362649  
SAN JUAN, PR 00936-2649